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Research Report

Strengthening the United Nations through deepened cooperation with NGOs, the private sector, and parliaments

Briefing Paper, No. 1/2005

Provided in Cooperation with:
German Institute of Development and Sustainability (IDOS), Bonn

Suggested Citation: Fues, Thomas (2005) : Strengthening the United Nations through deepened cooperation with NGOs, the private sector, and parliaments, Briefing Paper, No. 1/2005, Deutsches Institut für Entwicklungspolitik (DIE), Bonn

This Version is available at:
https://hdl.handle.net/10419/199595

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Briefing Paper 1/2005

Strengthening the United Nations through Deepened Cooperation with NGOs, the Private Sector, and Parliaments

Serious deficits have until today prevented the United Nations (UN) from assuming the leadership role set out for it in the Charter in coming to terms with global challenges. The international debate over how this situation could be changed is more lively and concrete than ever before. One question involved in the debate is what contributions nongovernmental organizations (NGOs), the private sector, and parliaments can and should provide. The answers given tend to be controversial. The vision of the so-called Cardoso Commission, which would like to see the UN further developed into a world forum open to all actors, points in the right direction, though, at least for the time being, it has no real prospects of implementation. Instead, member states should, in a first step, act on the pragmatic proposals advanced by UN Secretary-General Kofi Annan. The long-term concern is to put in place two innovative structural elements: a consultative parliamentary assembly and a platform for global policy networks. This would in no way affect the primary responsibility of governments for the world organization. German politicians and NGOs should seek to become more involved in the UN process and support concrete progress, but without losing sight of the long-term reform perspective.

I Strengths and weaknesses of the UN

A mixed track record

The United Nations is the world's only institution with a comprehensive mandate and universal membership. Only nation-states are eligible for membership. They oblige themselves to support the values and goals of the UN Charter: safeguarding world peace, protecting human rights, and promoting global development and international solidarity. However, as we see day for day, there is an enormous gulf between claims and realities in UN politics. Yet despite all justified criticism, it would be mistaken to write the world organization off as ineffective and superfluous. In the six decades since its establishment, the UN can boast of some astounding successes.

The UN has contributed to containing violence in many different places. Under its auspices there are promising efforts underway to address world problems such as poverty, gender inequity, environmental degradation, terrorism, and weapons of mass destruction. UN institutions such as the United Nations Children's Fund (UNICEF) and the World Food Programme provide humanitarian support for refugees, children, and other vulnerable groups. The UN has initiated international conventions on human and labor rights and environmental protection. In numerous conflicts it has proven its worth as a sturdy platform dedicated to reconciling the interests of North and South. The UN has increasingly opened its doors for cooperation with NGOs and the private sector. But this track record should not be allowed to blind us to the organization's palpable weak points.

Deficits in legitimacy

The UN 's moral authority is undercut by the following deficits:

- In the UN dictatorships and unlawful regimes enjoy the same rights as democracies. To cite an example: Despite the known abuses in Zimbabwe and Sudan, these countries have been voted into the Commission on Human Rights. Moreover, governments can violate UN resolutions without having to fear any consequences. One example of this is the recent Iraq War, which was embarked upon without the approval of the Security Council.
- The UN is an organization of and for governments. As a rule governments show little interest in transparency and accountability. It is for this reason that more and more representatives from civil society and parliaments are demanding a direct voice in world politics.
- The interests pursued by the member states in the UN are first and foremost their own national interests. There is no authority that could oblige governments to heed the cross-generational interests of mankind (e.g.: global environmental goods).
- The growing power of the Security Council, expressed in its authority to set universally binding norms, e.g. in the international struggle against terrorism, can be interpreted as the gradual development of a kind of global statehood. The fact that nation-states have relinquished some of their sovereignty to the supranational level has led to calls for the establishment of parliamentary and judicial

control bodies within the framework of a democratic world order.

Deficits in effectiveness

In addition, the UN 's capacity to act is impaired by the following problems:

- The large number of member states, which for the most part come to decisions on a consensus basis, is a factor that leads to ritualized debates without any substantial outcome.
- Crucial international decisions, e.g. in the business and financial sectors, are taken outside the UN. The fragmentation of global governance structures is an obstacle to the development of coherent concepts.
- The UN lacks some of the knowledge it needs to resolve world problems, e.g. as regards the living conditions of given population groups or innovative technologies. New knowledge is increasingly generated outside the public sector and is subject to private control.
- The UN's financial resources are extremely modest in view of its comprehensive and constantly growing mandate. The UN's dilapidated headquarters in New York are a sad symbol of the organization's precarious financial situation.

II Activating the potentials of external actors

The UN's deficits are increasingly coming to be recognized as a key problem for effective world politics. The reform process has picked up unexpected momentum in the preparatory phase of the Millennium+5 Summit (September 2005). The world's governments bear the main responsibility for overcoming the UN's structural deficits. But NGOs, the private sector, and parliaments can provide important contributions to this end. They are in possession of key resources like trust, credibility, knowledge, financial means, decentral implementation capacities, early-warning systems, worldwide networks, and campaign capacities – resources which the UN lacks. The following text focuses on external actors with a view to mobilizing their potentials for UN renewal.

Limited access for NGOs

In directly representing the interests of social groups or assuming an advocacy role in global concerns like human rights and environmental protection, NGOs have become an important power factor in transnational politics. They as a rule enjoy a good measure of trust and are in a position to influence public opinion. Grassroots NGOs have better access than governments to disadvantaged groups. NGOs are capable of mobilizing sizable funds for humanitarian and developmental programs and delivering them exactly where they are needed. They forge links between all levels of action extending from the local to the global. And NGOs are also able to exert effective pressure on governments, prodding them to translate the lofty goals of the UN into practice.

NGOs are the UN's most important partners. The world conferences of the 1990s raised the involvement of civil society to a qualitatively new level. In some cases global NGO alliances have even pointed out the way to new standards and institutions; examples here would include the Anti-personnel Mine Convention and the International Criminal Court. NGOs are especially active in the UN Economic and Social Council (ECOSOC) and its functional commissions, where they have a formalized consultative status that regulates their rights and obligations. The Commission on Sustainable Development is a leading force when it comes to innovative forms of NGO interaction such as round tables, multistakeholder dialogues, and joint process management. The UN Commission on Human Rights increasingly looks to reports from NGOs as alternative sources of information, instead of relying wholly on government documents. NGO participation in ECOSOC's Permanent Forum on Indigenous Issues, half of whose members stem from affected population groups, is especially pronounced. At the country level, too, NGOs play an important role for the UN, in national political dialogues no less than in program implementation.

Despite all progress that has been made, the role of NGOs is limited by the reluctance of the UN's principle organs, the Security Council and the General Assembly, to actively engage in dialogue with them. Their sporadic contacts with the Security Council are restricted to informal meetings outside its official premises. NGOs have access to the General Assembly only in exceptional cases, for instance for the High-Level Dialogue of the Monterrey follow-up process. Because the member states have blocked a uniform accreditation process, different modalities are in effect for all UN institutions and meetings. This strains the organizational capacities of NGOs and leads to constant friction between the member states. Many governments find the calls for increased NGO participation exaggerated, claiming that it would only serve to undermine their capacity to act. This skepticism is all the more serious in view of the fact that the main thrust of the new post-9/11 security agenda is to strengthen state sovereignty. Indeed, some individual member states are also blocking the accreditation of NGOs as a means of keeping domestic opposition off the international stage.

Furthermore, the global NGO community has a legitimacy problem of its own: Its ranks are dominated by white, characteristically male organizations from the industrialized countries. NGOs from other regions of the world lack the money they need to get involved in global policy processes. Some countries of the South exploit this unfortunate state of affairs to ward off public criticism, e.g. on human rights and environmental issues, by indiscriminately consigning the offending NGOs to the power block of the industrialized

North – although it must be said that NGOs from the North often support the interests of poorer countries, for instance in trade and debt relief.

Insufficient transparency of the private sector

Corporate power has also grown substantially in the globalized world economy. Transnational corporations play an important role in the production of knowledge, and they provide technologies, goods, and services that are essential to solving global problems. They furthermore exert considerable influence on social and ecological production conditions in global value chains.

The UN's relationship to the private sector has changed in recent decades from one of confrontation to one of cooperation. Today, transnational corporations are sought after as preferred partners. For their part, corporations are increasingly interested in the UN as a vehicle for demonstrating their social responsibility, and they play an active role in policy networks, e.g. in devising voluntary codes of conduct or health programs. Industry-related foundations make billions available for UN activities. One important instrument of dialogue with the private sector is the Global Compact initiated by Secretary-General Annan; it provides interested corporations with an opportunity to commit themselves to supporting UN goals. Since 1919 the International Labour Organization has been engaged in a unique form of participation in which industrial associations, labor unions, and governments bear joint responsibility.

One central obstacle to a larger measure of private-sector participation in the UN's work is the inadequate transparency of the partnership projects that have been attempted thus far. This problem fuels the suspicion that the private sector is more interested in polishing its image than in taking a serious part in problem solving ("blue-washing"). Many NGOs accuse Annan of opening the door too wide for the private sector. Some NGOs would prefer to fully exclude private-sector actors from the UN because they fear being coopted by commercial interests. Others insist upon verifiable criteria for partnership models with the private sector that would guarantee equal rights of participation, public accountability, and possible sanctions.

Weak involvement of parliaments

In democratic societies parliaments are the source of state legitimacy. They represent the will of the population, and governments are obliged to act in accordance with it. Thus far national parliaments and their members have played a more or less marginal role in the UN. In individual cases members of parliament are included in national delegations, but they have not been directly integrated into UN structures. The Inter-Parliamentary Union (IPU), an association of national parliaments, has had observer status in the General Assembly since 2002. The IPU organizes accompanying events to UN conferences, e.g. the upcoming Millennium+5 Summit. The low level of interaction between the UN and parliaments is a not insignificant aspect of the democracy deficit in global politics.

III The ongoing reform debate

As just one aspect of the comprehensive reform discussion underway in the UN, efforts aimed at further developing the relations between the UN and NGOs, the private sector, and parliaments have picked up new steam. The positions represented both inside and outside the UN can be associated with three different camps. The *skeptical* group, to which most governments belong, is satisfied with the present state of cooperation, or would indeed even prefer to turn back the wheels of history. The *visionary* position, which is represented by a group of advisors to Kofi Annan led by former Brazilian president Fernando Henrique Cardoso, has charted out the wishful idea of a transformed UN that serves all actors as a transnational world forum. The *pragmatic* camp, which includes Kofi Annan, some individual governments, and NGOs, has come out in favor of incremental progress.

The Cardoso model is overly visionary

In July 2004 the Cardoso Commission presented a visionary concept that left many questions open. According to the commission, the UN would be best advised to break with traditional multilateralism and learn to view external actors as indispensable allies. The commission advocates further institutionalization of contacts, particularly between the UN and parliaments and local authorities. It would like to see NGOs accredited by the General Assembly for the entire UN system on the basis of objective standards. It also places great hopes in broadly composed, UN-led partnership projects and proposes that a new unit of the Secretariat be created, under high-ranking leadership, and entrusted with the task of focusing the UN's external contacts.

Out of concern over the intergovernmental character of the organization, governments have concurred in rejecting the proposal. Many NGOs are also against it because of its underlying partnership philosophy and its call for equal treatment for social actors and the private sector. The IPU has signaled its opposition because it sees itself as the sole agency responsible for building parliamentary structures in global space. Due to widespread concerns, the Cardoso model at present has no chances of success in the General Assembly. It may, however, be seen as setting the direction in which the search for long-term change will seek its orientation.

The landmark Annan model

In response to the Cardoso Commission, Kofi Annan, in September 2004, presented a participatory model of his own which focuses on progress in the NGO sector. Under this model accreditation would also be handled by the General Assembly. And member states would conduct hearings with social groups at regular intervals. The proposal also envisions the creation of an NGO unit

which would be part of the Secretariat's new partnership office. The Secretary-General recommends that the Security Council should expand its consultations with NGOs, particularly in advance of peace missions. He further proposes that the UN's country teams should institutionalize their cooperation with civil-society forces, e.g. on the basis of liaison offices and consultative bodies. With a view to promoting an improved representation of organizations from the South, the Secretary-General proposes setting up two voluntary support funds, one for the national and one for the global level.

One controversial point is Kofi Annan's suggestion that the semi-autonomous NGLS (Non-Governmental Liaison Service) be integrated with the UN Secretariat. While this arrangement might well hold promise of financial stability for the liaison office, it could at the same time compromise its independence. Kofi Annan further suggests the adoption of a binding code of conduct that would be used to vet NGOs for their conformity with UN goals. NGOs should facilitate the implementation of efficient forms of participation by creating issue-oriented networks.

Long-term reform dynamics

Thus far the responses to the Annan proposal give little reason to hope that it will be accepted by the General Assembly any time soon. The support resolution the Secretariat had hoped to have by the end of 2004 failed to materialize. A Brazilian draft ran up against reservations even among civil-society-friendly governments such as Germany and other EU countries and has since been shelved. Most NGOs have been conspicuously reticent in the ongoing debate. They are evidently satisfied with what has been achieved thus far and fear losing even that.

Neither the status quo nor a return to the past would be a reasonable option, and a standstill would block the potentials that NGOs, the private sector, and parliaments have to renew the UN. Member states and NGOs ought to understand the measures proposed by Kofi Annan as an important part of the UN reform process, which is set to reach its apex in September 2005. Above and beyond the short-term horizon, it would be advisable to enhance the UN's legitimacy and effectiveness by adopting two structural innovations:

- *First*, the UN, in coordination with the IPU, should create a parliamentary assembly consisting of representatives from all world regions that would have consultative status. There are already similar bodies with numerous international institutions, including for instance NATO, the Council of Europe, the World Trade Organization, and the World Bank.
- *Second*, a platform for pluralist policy networks should be created under UN auspices that would be responsible for issuing verifiable and sanctionable rules. The partnership projects of governments, international institutions, NGOs, the private sector, and other groups could in this way be integrated into a coherent overall framework.

IV Chances for German actors

The UN reform process offers excellent chances for Germany to enhance its profile, perhaps with a view to realizing its aim of obtaining a permanent seat on the Security Council. Participation and civic engagement are central values for German society no less than for German foreign and development policy. Together with the European Union and NGO-friendly nations of the South, the German government should come out squarely in favor of a speedy adoption of the Annan model. A timely commitment to finance the NGO funds envisioned by the model would serve to underscore the seriousness of these German efforts.

Above and beyond the terse statement it has already made on the issue, the German Bundestag would be well advised to address the subject in greater depth and to intensify its contacts to the UN system. The German states and municipalities should make use of the opportunities for participation offered by the UN, for example in the Commission on Sustainable Development. By international comparison, German NGOs show little interest in the UN. They are missing a strategic opportunity in shaping the emerging global civil society and promoting democratic global governance.

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Literature: Fues, Thomas (2004): Reform Agenda 2005: The United Nations at a Historic Fork of the road, Briefing Paper 5/2004, German Development Institute, www.die-gdi.de
Note: The reports mentioned above can be found under http://www.un-ngls.org/UNreform.htm. All official UN documents under http://documents.un.org.

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E-Mail: die@die-gdi.de http://www.die-gdi.de
ISSN 1434-8934 (deutsch) ISSN 1615-5483 (englisch)